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**STATE OF IOWA**

**Senate Journal**

**MONDAY, APRIL 24, 2006**

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## JOURNAL OF THE SENATE

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ONE HUNDRED SIXTH CALENDAR DAY  
SIXTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 24, 2006

The Senate met in regular session at 1:37 p.m., President Lamberti presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa, and the Honorable Doug Shull, member of the Senate from Warren County, Indianola, Iowa.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Maddy Eaton.

The Journal of Thursday, April 20, 2006, was approved.

### MOTION TO RECONSIDER WITHDRAWN

#### [House File 2686](#)

Senator Dvorsky withdrew the motion to reconsider [House File 2686](#), a bill for an act providing for technical and substantive changes relating to the Iowa communications network, filed by him on April 19, 2006, and found on page 943 of the Senate Journal.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 2686](#) be **immediately messaged** to the House.

The Senate stood at ease at 2:00 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:28 p.m., President Lamberti presiding.

CONSIDERATION OF RESOLUTIONS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 154, 151, 146, 143, 121, and 112.

**Senate Resolution 154**

On motion of Senator Iverson, **Senate Resolution 154**, a resolution urging the Iowa department of education to integrate the principles of basic personal finance into the public school curricula in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of **Senate Resolution 154**, which motion prevailed by a voice vote.

**Senate Resolution 151**

On motion of Senator Ragan, **Senate Resolution 151**, a resolution designating April 2006 as Kidney Cancer Awareness Month, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of **Senate Resolution 151**, which motion prevailed by a voice vote.

**Senate Resolution 146**

On motion of Senator Johnson, **Senate Resolution 146**, a resolution honoring the city of Peterson, Iowa, on its sesquicentennial, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved the adoption of **Senate Resolution 146**, which motion prevailed by a voice vote.

**Senate Resolution 143**

On motion of Senator Bolkcom, **Senate Resolution 143**, a resolution requesting the legislative council to establish an interim committee to conduct a study of issues related to home visiting for families with a newborn child, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved the adoption of **Senate Resolution 143**, which motion prevailed by a voice vote.

**Senate Resolution 121**

On motion of Senator Dvorsky, **Senate Resolution 121**, a resolution honoring David J. Skorton for his service to Iowa as an educator and administrator and as President of the University of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of **Senate Resolution 121**, which motion prevailed by a voice vote.

**Senate Resolution 112**

On motion of Senator Johnson, **Senate Resolution 112**, a resolution honoring the Main Street Iowa Program on its 20th anniversary, with report of committee recommending passage, was taken up for consideration.

Senator Johnson moved the adoption of **Senate Resolution 112**, which motion prevailed by a voice vote.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration **Senate File 2403**.

### **Senate File 2403**

On motion of Senator McCoy, **Senate File 2403**, a bill for an act relating to devices used for weighing and measuring, by providing for the regulation of the devices, motor fuel, and persons who service the devices, and providing for fees and penalties, was taken up for consideration.

Senator Zaun offered amendment **S-5217**, filed by him from the floor to pages 4–6 and 12–14 of the bill, and moved its adoption.

Amendment **S-5217** was adopted by a voice vote.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (**S.F. 2403**), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENT CONSIDERED

Senate File 2312

Senator Stewart called up for consideration Senate File 2312, a bill for an act providing grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision, amended by the House in House amendment S-5199, filed April 18, 2006.

Senator Stewart moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Stewart moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2312), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED

**House File 711**

Senator Ward called up for consideration **House File 711**, a bill for an act relating to judicial branch procedures involving the appointment process of certain officers and judges and applications for further review at the appellate level, and providing for temporary delays in filling judgeships, amended by the Senate and further amended by the House in House amendment **S-5212** to Senate amendment **H-1627**, filed April 19, 2006.

Senator Ward moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Ward moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (**H.F. 711**), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2312 and 2403** and [House File 711](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2748](#).

[House File 2748](#)

On motion of Senator Hahn, [House File 2748](#), a bill for an act providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Hahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2748](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	



Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 2748](#) be **immediately messaged** to the House.

#### HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 2006, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2402](#), a bill for an act relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including applicability date provisions.

ALSO: That the House has on April 24, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2765](#), a bill for an act concerning the military division of the department of public defense.

Read first time and **passed on file**.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:00 p.m. until 8:30 a.m., Tuesday, April 25, 2006.

**APPENDIX****BILL ASSIGNED TO COMMITTEE**

President Lamberti announced the assignment of the following bill to committee:

[H.F. 2770](#) Ways and Means

**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Mr. and Mrs. Lonnie and Polly Blass, Casey—For celebrating your 50th wedding anniversary. Senator Boettger (4/24/06).

Mr. and Mrs. John Cooper, Waterloo—For celebrating your 50th wedding anniversary. Senator Dotzler (4/24/06).

Myrtle Flaig, Waterloo—For celebrating your 90th birthday. Senator Dotzler (4/24/06).

Travis J. Greve, Donahue—For achieving the rank of Eagle Scout, Boy Scout Troop 203. Senator Wood (4/24/06).

Mr. and Mrs. Mick and Marilyn Keane, Panama—For celebrating your 50th wedding anniversary. Senator Boettger (4/24/06).

Mr. and Mrs. Joe Ray and Lovetta Kenkel, Earling—For celebrating your 50th wedding anniversary. Senator Boettger (4/24/06).

Mr. and Mrs. Merlin and Mary Lou Kraus, Anita—For celebrating your 50th wedding anniversary. Senator Boettger (4/24/06).

Mr. and Mrs. Ray and Louise Mensing, Greenfield—For celebrating your 65th wedding anniversary. Senator Boettger (4/24/06).

Minnie Plueger, LeMars—For celebrating your 100th birthday. Senator Mulder (4/24/06).

Jordan Porter, Eldridge—For achieving the rank of Eagle Scout. Senator Wood (4/24/06).

Mr. and Mrs. Martin and Catherine Schwarte, Harlan—For celebrating your 50th wedding anniversary. Senator Boettger (4/24/06).

Mr. and Mrs. Robert and Jane Starr, Panora—For celebrating your 50th wedding anniversary. Senator Boettger (4/24/06).

Sunny Fresh and Cargill, Mason City—For being named McDonald's U.S. Supplier of the Year. Senator Ragan (4/24/06).

### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 21, 2006, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate Joint Resolution 2001](#) – Authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

[Senate File 2219](#) – Relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance program, providing penalties, and providing for a study.

[Senate File 2262](#) – Relating to the prepayment of agricultural loans secured by a real estate mortgage.

[Senate File 2290](#) – Relating to the payment of costs of reasonable attorney fees and other expenses related to certain adoption proceedings.

[Senate File 2292](#) – Relating to farm tenancies.

[Senate File 2318](#) – Relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification.

[Senate File 2322](#) – Relating to the investigation and control of communicable and infectious diseases and notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster.

### AMENDMENTS FILED

<a href="#"><u>S-5214</u></a>	<a href="#"><u>H.F. 2332</u></a>	Doug Shull
<a href="#"><u>S-5215</u></a>	<a href="#"><u>H.F. 2716</u></a>	Bob Brunkhorst
		Keith A. Kreiman
<a href="#"><u>S-5216</u></a>	<a href="#"><u>H.F. 2717</u></a>	John Putney
<a href="#"><u>S-5217</u></a>	<a href="#"><u>S.F. 2403</u></a>	Brad Zaun
<a href="#"><u>S-5218</u></a>	<a href="#"><u>H.F. 2362</u></a>	Jeff Angelo
<a href="#"><u>S-5219</u></a>	<a href="#"><u>H.F. 2743</u></a>	Jack Hatch
		Robert E. Dvorsky